

COURT MINUTES OF SENTENCING HEARING

UNITED STATES of AMERICA,

v.

CASE NO. 22-CR-169-4-JPS

DIVINE-SEVEN EL.

HON. J. P. STADTMUELLER PRESIDING

DATE: February 1, 2024	TIME SCHEDULED: 3:00 p.m.
COURT DEPUTY/CLERK: Annie Stanford	TIME CALLED: 3:00 p.m.
COURT REPORTER: Sue Armbruster	TIME FINISHED: 3:45 p.m.
GOVERNMENT BY: John Scully and Benjamin Taibleson	
DEFENDANT BY: Divine-Seven El (Pro Se)	
PROBATION BY: Daniel Dragolovich	

Notes:

- 3:00: Appearances; Court puts background of case on record, including Defendant's having been found guilty following a jury trial of Counts One, Two, Six, Twelve, Sixteen, and Eighteen of the Indictment; Court notes it has reviewed presentence report
- 3:03: Court inquires whether parties have reviewed presentence report and have any objections to the facts as stated therein; transcript will include a full discussion of same
- 3:05: Court raises inquiries to parties regarding facts in presentence report; parties respond; Court therefore adopts the facts as stated in the presentence report
- 3:08: Court notes applicable Guidelines:
 - Total Offense Level: 32
 - Criminal History Category: II
 - 135 to 168 months imprisonment
 - 1 to 3 years supervised release
 - \$35,000.00 to \$350,000.00 fine
 - \$1,689,652.21 restitution
 - \$600.00 special assessment
- 3:10: Parties accept these Guidelines
- 3:11: Government inquires as to Defendant's request for counsel and rescission of request for counsel; Court states Defendant has made his record and it speaks for itself

- 3:11: Defendant comments as to proposed conditions of supervised release; returns accepted conditions of supervised release to Court
- 3:12: Court adopts Probation's proffered Guidelines for purposes of considering Defendant's sentence
- 3:14: Defendant makes statements; Court responds
- 3:14: Defendant declines to make a statement on his own behalf
- 3:15: Government makes a statement
- 3:19: Government has no objections to proposed conditions of supervised release
- 3:20: Defendant raises inquiries to the Court; Court responds
- 3:21: Court discusses statements of the parties, facts of the case, and facts as presented in presentence report
- 3:38: Court imposes the following formal sentence:

150 months of imprisonment as to each of Counts One, Two, Six, and Twelve, and 120 months of imprisonment as to each of Counts Sixteen and Eighteen, all to operate to run concurrently with one another, for a total term of imprisonment of 150 months

3 years of supervised release as to each Count of conviction, all to operate to run concurrently with one another, for a total term of supervised release of 3 years

Fine is waived

\$600.00 special assessment

\$1,689,652.21 restitution

Defendant remanded to custody of U.S. Marshal

- 3:43: Court advises Defendant of his right of appeal
- 3:45: Court inquires as to place of confinement; Defendant does not respond; Court leaves issue to Federal Bureau of Prisons
- 3:45: Defendant remanded to custody of U.S. Marshal
- 3:45: Court stands in recess